

Message Text

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TO USDEL SECRETARY PRIORITY

C O N F I D E N T I A L STATE 235348 TOSEC 270600

FOR THE SECRETARY FROM HARTMAN THRU SONNENFELDT

E.O. 11652: GDS

TAGS: OVIP (KISSINGER, HENRY A.), GW

SUBJECT: BRIEFING MEMORANDUM--YOUR MEETING AT UNGA WITH
FOREIGN MINISTER GENSCHER

1. SETTING.

YOU LAST SAW GENSCHER (ALONG WITH CHANCELLOR SCHMIDT)
DURING YOUR STOP IN HAMBURG ON SEPTEMBER 7. WITH THE
FRG IN THE FINAL "HOT PHASE" OF ITS ELECTION CAMPAIGN,
THE FDP IS RELYING HEAVILY ON THE VOTER APPEAL OF
ITS TOP LEADERS WHO HOLD KEY CABINET POSITIONS IN
THE SPD/FDP COALITION GOVERNMENT. GENSCHER'S BRIEF VISIT

TO THE US IS INESCAPABLY AN EXTENSION OF THE HUSTINGS.
PRESS ATTENTION TO HIS UNGA SPEECH AND MEETINGS WITH
YOU AND GROMYKO WILL KEEP GENSCHER'S ALREADO POPULAR
IMAGE CLEARLY BEFORE THE GERMAN PUBLIC AS AN ACTIVE
AND TOUGH-MINDED FOREIGN MINISTER. WE UNDERSTAND -
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GENSCHER MAY RETURN TO NEW YORK AFTER THE ELECTIONS FOR
A LONGER VISIT, TO CARRY OUT ADDITIONAL UNGA BILATERALS.
WIN OR LOSE ON OCTOBER 3, THE PRESENT GOVERNMENT WILL
CONTINUE IN OFFICE UNTIL THE CURRENT BUNDESTAG TERM

EXPIRES ON DECEMBER 14.

POLLS SHOW THE SPD/FDP WITH A CONTINUING SLIGHT EDGE OVER THE CDU/CSU, ALTHOUGH THE DIFFERENCE IS TOO SMALL TO HAVE FIRM STATISTICAL SIGNIFICANCE. THIS GIVES INCREASED WEIGHT TO THE SMALL GROUP OF STILL UNDECIDED VOTERS, AND TO SUCH FACTORS AS SPD ABILITY TO GET ITS FOLLOWERS TO THE POLLS. WHILE COMPLACENCY AND DISINTEREST SHOULD HELP THE PARTIES IN POWER, A POOR TURN-OUT BY SPD VOTERS COULD TIP THE ELECTION SCALES TO THE CDU/CSU.

ON THE EVE OF THE ELECTION THE FRG ECONOMY IS STILL EXPANDING BUT AT A SLOWER RATE THAN DURING THE FIRST HALF OF 1976. EXPORTS AND IMPORTS ARE RUNNING ABOVE 1975 LEVELS. UNEMPLOYMENT SEEMS TO HAVE STABILIZED AT SOMEWHAT UNDER ONE MILLION WORKERS (4.1 PERCENT RATE). THE FACT THAT THE FRG ENJOYS GENERAL PROSPERITY AND IS ECONOMICALLY THE STRONGEST COUNTRY IN WESTERN EUROPE SHOULD BENEFIT CHANCELLOR SCHMIDT, AT LEAST marginally.

WHILE FOREIGN AFFAIRS HAVE NOT PLAYED A DOMINANT ROLE IN THE ELECTION CAMPAIGN, GERMAN PUBLIC INTEREST REMAINS STRONG IN INTERNATIONAL SECURITY AND HUMAN ISSUES--INCLUDING SOUTHERN AFRICA PROBLEMS, AND ESPECIALLY NAMIBIA WITH ITS LARGE GERMAN COLONY. GENSCHER WILL BE PARTICULARLY INTERESTED IN AN UP-TO-THE-MINUTE ACCOUNT OF YOUR WORK WITH THE MAJOR PARTIES TO AVOID A VIOLENT TURN FOR THE WORSE IN SOUTHERN AFRICA.

THE LOCKHEED CASE HAS BECOME AN ELECTION ISSUE OF UNCERTAIN IMPACT IN THE FRG, WITH INTEREST CENTERED ON THE EFFICACY OF FRG EFFORTS TO OBTAIN AGREEMENT WITH THE DEPARTMENT OF JUSTICE ON THE TRANSFER OF SEC DOCUMENTS CONCERNING LOCKHEED AND THE F-104 SALE. THIS MOVE HAS BEEN ATTACKED BY THE CDU/CSU AS A PURPOSELY DELAYED ELECTION MOVE DESIGNED TO DISCREDIT FRANZ JOSEF STRAUSS. STRAUSS HIMSELF IS ENGAGED IN A LAWSUIT
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AGAINST STERN MAGAZINE, WHICH IS PUBLISHING DOCUMENTS INDICATING HE TOOK LOCKHEED PAYOFFS WHILE DEFENSE MINISTER IN THE EARLY 1960'S. STRAUSS MAINTAINS THAT THESE DOCUMENTS ARE FALSE. SCHMIDT, WHO WAS A DEFENSE MINISTER FOLLOWING STRAUSS, HAS PUBLICLY EXPRESSED THE VIEW THAT THERE WAS NO CORRUPTION IN CONNECTION WITH THE STARFIGHTER PURCHASE.

AT THE UN, THE FRG IS A MEMBER OF THE KOREAN CORE GROUP AND A CO-SPONSOR OF THIS YEAR'S FRIENDLY KOREAN RESOLUTION. THE FRG PLANS INITIATIVES DURING THIS UNGA ON TERRORISM AND HUMAN RIGHTS, USING THE VEHICLE OF GENSCHER'S SPEECH ON SEPTEMBER 28.

2. ISSUES/TALKING POINTS.

TERRORISM/HOSTAGES:

BACKGROUND: WE SUPPORT IN PRINCIPLE THE PLANNED FRG INITIATIVE REGARDING HOSTAGES AND HAVE TOLD THE GERMANS THAT WE ARE PREPARED TO CO-SPONSOR THEIR RESOLUTION AND EXPLANATORY MEMORANDUM, ASSUMING THE DRAFT TEXTS REMAIN SUBSTANTIALLY UNCHANGED. THE PROPOSED "CONVENTION CONCERNING INTERNATIONAL MEASURES AGAINST TAKING OF HOSTAGES" IS INTENDED TO PROTECT HOSTAGES FROM BEING HELD FOR POLITICAL PURPOSES BY PROVIDING FOR EXTRADITION OF THEIR CAPTORS OR PROSECUTION IN THE COUNTRY IN WHICH THEY ARE ARRESTED. WE DO NOT WANT TO UNLEASH AN UNPRODUCTIVE AND POLITICALLY-CHARGED DEBATE IN THE UNGA OVER THE DEFINITION OF TERRORISM. WE BELIEVE THE TIME IS RIPE, HOWEVER, TO EXPLOIT EXPANDED INTERNATIONAL INTEREST IN THE HOSTAGE ISSUE AND TO PUSH FOR EFFECTIVE INTERNATIONAL ACTION ON THIS SPECIFIC PART OF THE PROBLEM.

YOUR TALKING POINTS:

--WE FEEL YOUR DRAFT RESOLUTION REGARDING TERRORISM AND HOSTAGES IS TIMELY AND PRACTICAL, AND WE WELCOME THE CHANCE TO SUPPORT IT.

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--WE BELIEVE THE RESOLUTION OFFERS A REALISTIC PROSPECT OF ACHIEVING EFFECTIVE INTERNATIONAL ACTION, AND HOPE THAT IT WILL ELICIT NON-POLEMICAL DEBATE IN THE ASSEMBLY ON THE PRESSING HOSTAGE PROBLEM.

HUMAN RIGHTS COURT:

BACKGROUND: GENSCHER PLANS TO TREAT HIS "HUMAN RIGHTS COURT" IDEA IN GENERAL TERMS IN HIS UNGA ADDRESS. EARLIER INTENTIONS TO PROPOSE A FORMAL RESOLUTION THIS YEAR (A CONTENTIOUS PROSPECT FOR THE GDR AND THE OTHER WARSAW PACT COUNTRIES, ESPECIALLY) HAVE BEEN DROPPED IN FAVOR OF A CALL FOR CONSULTATIONS LEADING TO ACTION BY THE NEXT UNGA. WE VIEW THE PROSPECT OF ESTABLISHING

A COURT FOR PROTECTION OF HUMAN RIGHTS AS AN EXTRAORDINARILY COMPLEX UNDERTAKING, BUT HAVE TOLD THE GERMANS OF OUR WILLINGNESS TO CONSULT WITH THEM. WE ARE LOOKING AT THE STRUCTURE OF THE COUNCIL OF EUROPE'S HUMAN RIGHTS COURT, WHICH THE GERMANS SAY IS THEIR MODEL.

YOUR TALKING POINTS:

--WE ARE INTERESTED IN YOUR PROPOSAL THAT CONSIDERATION
BE GIVEN TO ESTABLISHING A "HUMAN RIGHTS COURT."

--WE ALSO REALIZE THAT THIS IS A COMPLEX UNDERTAKING
AND ARE WILLING TO CONSULT WITH YOU CONCERNING YOUR
PROPOSALS.

AID TO EGYPT:

BACKGROUND: THE EGYPTIAN ECONOMY REMAINS IN A CRITICAL
SITUATION, AND YOU HAVE SENT A PERSONAL MESSAGE TO GENSCHER
REQUESTING THE FRG GIVE FAVORABLE CONSIDERATION TO A
\$100 MILLION CREDIT TO CAIRO. THE FRG IS REPORTEDLY
PREPARING A RESPONSE WHICH WILL RECOGNIZE THE IMPORTANCE
OF HELPING SADAT, BUT WILL INDICATE THE IMPOSSIBILITY OF
OFFERING FINANCIAL CONTRIBUTION OR NEW CREDIT
GUARANTEES THIS YEAR.

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YOUR TALKING POINTS:

--I RECENTLY SENT YOU A LETTER ON AID TO EGYPT URGING
YOUR GOVERNMENT TO GIVE SERIOUS CONSIDERATION TO ADDI-
TIONAL HELP.

--EGYPT'S BALANCE OF PAYMENTS SITUATION FOR THIS YEAR
REMAINS CRITICAL. IN SPITE OF YOUR BUDGETARY SITUATION,
I HOPE GERMANY CAN BE HELPFUL THIS YEAR.

BERLIN:

BACKGROUND: THE FRG'S BERLIN POLICY HAS BEEN MUTED
RECENTLY IN VIEW OF TENSIONS WITH THE GDR AND CHANCELLOR
SCHMIDT'S WISH TO PLAY BERLIN IN LOW KEY DURING THE
WEST GERMAN ELECTION CAMPAIGN. (SEE FURTHER BACKGROUND
SECTION FOLLOWING YOUR TALKING POINTS.) HOWEVER, THE
FRG FOREIGN OFFICE IS CONSIDERING POST-ELECTION
INITIATIVES WHICH IT MIGHT TAKE WITH MOSCOW, AT LEAST
CONCERNING THE INCLUSION OF BERLIN IN THE THREE OUTSTANDING
FRG/USSR AGREEMENTS. SOVIET AMBASSADOR FALIN HAS TOLD
THE PRESS IN BONN THAT THE GENSCHER/GROMYKO MEETING
AT THE UNGA ON SEPTEMBER 27 COULD START A MOVE TOWARD
GREATER ECONOMIC AND SCIENTIFIC COOPERATION AND BETTER
RELATIONS.

YOUR TALKING POINTS:

--I UNDERSTAND YOU ARE HOPEFUL OF MAKING PROGRESS AFTER
THE ELECTIONS WITH THE SOVIETS ON INCLUDING BERLIN
IN THE LEGAL ASSISTANCE, CULTURAL EXCHANGE AND SCIENTIFIC

AND TECHNOLOGICAL EXCHANGE AGREEMENTS WHICH THE FRG HAS BEEN NEGOTIATING WITH MOSCOW, AND PERHAPS ON OTHER BERLIN-RELATED MATTERS AS WELL.

--I WOULD BE INTERESTED IN WHAT YOU HAVE IN MIND, AND IN WHAT INDICATIONS YOU MAY HAVE HAD THAT THE SOVIETS WOULD BE MORE HELPFUL THAN IN THE PAST.

--OF COURSE IT IS ESSENTIAL THAT THE FRG COORDINATE CLOSELY WITH THE ALLIES AS THESE MATTERS PROGRESS.
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ANALYSIS/BACKGROUND: WE HAVE HAD INDICATIONS FROM SEVERAL QUARTERS IN THE FRG FOREIGN MINISTRY THAT IT IS CONSIDERING CERTAIN INITIATIVES TO BE UNDERTAKEN WITH THE SOVIETS CONCERNING BERLIN FOLLOWING THE WEST GERMAN ELECTIONS OCTOBER 3. THESE RANGE FROM LIMITED MOVES TO REACH A COMPROMISE PERMITTING INCLUSION OF BERLIN IN THE THREE OUTSTANDING BILATERAL AGREEMENTS WITH THE SOVIET UNION (LEGAL ASSISTANCE, CULTURAL EXCHANGE, SCIENTIFIC AND TECHNOLOGICAL EXCHANGE), TO MORE AMBITIOUS EFFORTS TO EXERT FRG ECONOMIC LEVERAGE COMBINED WITH UNDEFINED WEST GERMAN CONCESSIONS ON BERLIN (SUCH AS DROPPING THE REFERENCE TO LAND BERLIN IN FRG VISA STAMPS) TO INDUCE THE SOVIETS TO BE MORE COOPERATIVE IN BERLIN MATTERS. REPORTEDLY GENSCHER PLANS TO SKETCH OUT IN GENERAL AT LEAST SOME OF WHAT THE FRG HAS IN MIND TO GROMYKO WHEN HE MEETS WITH THE SOVIET FOREIGN MINISTER AT THE UNGA. IT IS THOUGHT THAT SOME PROGRESS WITH THE SOVIETS ON BERLIN WOULD PAVE THE WAY FOR A BREZHNEV VISIT TO BONN IF THE SPD/FDP COALITION REMAINS IN POWER.

IT WILL BE IMPORTANT TO LEARN WHAT GENSCHER HAS IN MIND, NOT ONLY TO ENSURE THAT ALLIED RIGHTS AND RESPONSIBILITIES IN BERLIN ARE SAFEGUARDED BUT ALSO BECAUSE AT SOME POINT THE WEST GERMANS MAY NEED ALLIED SUPPORT TO DELIVER ON PROPOSALS THEY MAY MAKE TO MOSCOW. YOUR MEETING WITH GENSCHER AT THE UNGA WOULD BE AN OPPORTUNE TIME TO RAISE THESE QUESTIONS, WHILE AT THE SAME TIME IMPRESSING ON HIM THE NEED FOR CLOSE CONSULTATION WITH THE ALLIES TO PREVENT LAST MINUTE DIFFICULTIES, SUCH AS THOSE WHICH AROSE CONCERNING THE REICHSBAHN IN THE INNER-GERMAN TRANSIT AGREEMENTS OF LAST DECEMBER.

3. DRAFTED:EUR/CE:GHUMPHREY/RBCASAGRANDE/GACHESTER
CLEARED: C, MR. HOPPER; IO, MR. BAKER; NEA/EGY,
MR. NEWBERRY.
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